

PATENT APPLICATION  
Attorney Docket: 2776 (203-3096PCTUS)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Russell Heinrich et al. Examiner: Katherine Marie Dowe  
Serial No.: 10/510,940 Group: Art Unit 3734  
Filed: October 8, 2004 Dated: June 10, 2010  
For: SURGICAL INSTRUMENTS INCLUDING MEMS DEVICES

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Confirmation No.: 7181

**PRELIMINARY AMENDMENT "E"**

Dear Madam:

In response to the Final Office Action that was mailed on April 27, 2010, and in view of the Request for Continued Examination submitted herewith, please consider the following prior to examination of the above-identified application on the merits:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this response.

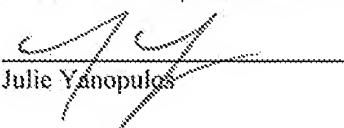
Remarks/Arguments begin on page 18 of this response.

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**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being transmitted on the date below with the United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, via electronic submission.

Dated: June 10, 2010

  
Julie Yanopoulos